



An
Coimisiún
Pleanála

Inspector's Report

ABP-321473-24

Development

Point of detail referral: compliance with condition 4(a) of planning ref. PD/18/447 (ABP-303677-19) - relocation of the permitted wind turbines and associated infrastructure.

Location

Derrane and Roxborough,
Roscommon, Co. Roscommon

Planning Authority

Roscommon County Council

Planning Authority Reg. Ref.

18/447

An Bord Pleanála Ref.

303677-19

Applicant

Peter Gilooly

Planning Authority Decision

No agreement reached

Referred by

Peter Gilooly

Date of Site Inspection

20th February 2025

Inspector

David Ryan

1.0 Introduction

- 1.1. Under ABP-303677 (P.A Reg. Ref. PD/18/447) the Commission granted permission, on appeal, for minor amendments to the development permitted under Roscommon County Council Planning Register Reference Numbers 11/126 and 18/313 to provide for the relocation of the permitted wind turbines and associated infrastructure (site roads and crane hardstandings); amendments to the turbine dimensions to allow for a maximum overall tip height of up to 150 metres and all associated site development and reinstatement works, with maximum total combined output of the wind turbines not exceeding 4.9 megawatts, on lands at Derrane and Roxborough, Co. Roscommon. Condition no. 4 (a) required details of the wind turbines including blade lengths to be agreed in writing with the planning authority prior to commencement of development.
- 1.2. The applicant proposes the installation of turbines with a maximum overall tip height of 150 metres, but with a different hub height and blade length than set out in the original planning application documentation. The applicant has sought the view of the planning authority, if the proposed alteration to the turbine structure is within the scope of Condition no. 4 (a). No agreement has been reached with the planning authority and the matter has been referred to the Commission under Section 34(5) of the Planning and Development Act 2000, as amended.
- 1.3. This case is also travelling with ABP 321471-24, in respect of point of detail referral for Condition 4(a) of PD/18/447, ABP-303677-19, relating to an Enercon E138 turbine model.

2.0 Site Location and Description

- 2.1. The site is located in the townlands of Derrane and Roxborough, Co. Roscommon. The site lies c.4.5km north of Roscommon town and 1.4km east of the N61 which connects Roscommon town with Boyle to the north. The area is rural in character with agriculture predominant in gently undulating lands. Residential development includes for rural dwellings with ribbon development along the L-1805 road. None of the permitted turbines are in situ.

2.2. The Corbo Bog SAC (Site code 002349) is located c 4.5km to the east. The nearest SPA is Lough Ree SPA (Site code 004064) which is c 7.7km to the south-east of the site. The River Suck Callows SPA (Site code 004097) lies c 9.2km to the south and Lough Ree SAC (Site Code 000440) is 5.6km to the southeast.

3.0 Point of Dispute

3.1. Permission was granted by the Commission in 2019 in ABP-303677 (P.A Reg. Ref. PD/18/447) for minor amendments to the development permitted under Roscommon County Council Planning Register Reference Numbers 11/126 and 18/313 to provide for the relocation of the permitted wind turbines and associated infrastructure (site roads and crane hardstandings); amendments to the turbine dimensions to allow for a maximum overall tip height of up to 150 metres and all associated site development and reinstatement works, with maximum total combined output of the wind turbines not exceeding 4.9 megawatts.

3.2. Condition no. 4 (a) stated details of the wind turbines including blade lengths shall be agreed in writing with the planning authority prior to commencement of development, with the stated reason 'in the interest of visual amenity'. In **response** to the applicant's compliance submissions of 16th December 2020 and 28th April 2021 for condition 4 (a), the planning authority on 21st May 2021 outlined that the Vensys 121 turbine model complied with condition 4(a). On proceeding to obtain the Vensys 121 wind turbines, the applicant found the turbine model was no longer available.

3.3. In **response** to a further compliance submission on 6th July 2022 by the applicant for Condition 4 (a), entailing an Enercon E138 wind turbine, the planning authority, on 29 August 2022 outlined the submission was considered to be a material deviation from the planning permission granted, was not acceptable and was not in compliance with Condition (4) (a) of 18/447. The Planning Authority memorandum dated 29th August 2022 outlined the proposed significant increase in blade diameter which may give rise to impacts that have not been assessed was considered a material deviation from the planning permission granted and was not acceptable as compliance.

3.4. The applicant submitted a further compliance submission on 26th September 2024, entailing a Nordex 117 wind turbine, for compliance with condition 4 (a), which

included a shorter blade length than the Vensys 121 turbine. In **response**, the planning authority, on 20th November 2024 outlined the Nordex 117 turbine is considered to be a material deviation from the planning permission granted, is not acceptable and is not in compliance with Condition (4) (a) of PD/18/447. In a memorandum attached as Appendix E, the Planning Authority outlined the proposal appears to introduce colours and materials which were not evident on the drawings submitted as part of the application or on the drawings relating to the Vensys 121 model previously accepted as compliant with Condition 4 (a). In addition, it was outlined the submitted drawings are not to scale and in absence of appropriately scaled drawings the proposed model appears to be an unacceptable deviation from the permitted/accepted compliant model. It was outlined that as the compliance process does not make provision for clarification, the Nordex 117 model would be a material deviation from that originally proposed in 18/447 or that previously accepted for compliance purposes.

- 3.5. It is noted there was no discussion of turbine model output by the planning authority in their consideration of the compliance submission.
- 3.6. Peter Gilooly is now referring the matter to the Commission for determination.

4.0 Planning Authority Decision

- 4.1. The relevant planning applications are:

11/126 – Planning permission granted for 2 no. turbines of up to 85m hub height and up to 82m rotor diameter and tip height of 126m. **Extension of duration of 11/126 until 2 January 2027 was made in 21/3007.**

18/313 – Planning permission granted for minor alterations to permission previously granted under Reg Ref 11/126 to provide for relocation and design of substation, internal road access, hardstands and cabling works.

18/447 – Minor amendments to the development permitted under Reg Ref 11/126 and 18/313 to provide for the relocation of the permitted wind turbines and associated infrastructure (site roads and crane hard-standings); amendments to the turbine dimensions to allow for a maximum overall tip height of up to 150 metres and all associated site development and reinstatement works. The maximum total

combined output of the wind turbines will not exceed 4.9 megawatts. The planning authority's decision to refuse permission was overturned at appeal stage (ABP 303677).

Compliance with Condition 4 (a) includes the following:

21st May 2021 - Planning Authority outlined the submission entailing the **Vensys 121** turbine model, was acceptable and met compliance with Condition 4(a).

29th August 2022 – Planning Authority issued correspondence that the submission, which included for an Enercon E-138 turbine model, was considered to be a material deviation from permission granted, was not acceptable and not in compliance with Condition 4(a).

20/145 – Amendments to Reg Ref No 18/313 to provide for the relocation of the permitted substation approximately 810m to the north, omission of access track and underground electrical cabling associated with the permitted control substation, installation of approximately 530m of underground electrical cabling to connect the proposed substation to permitted turbine T1 and all associated access and reinstatement works. The decision to grant permission was upheld in a subsequent appeal (307726).

22/363 - Permission sought for: (a) amendments to (i) extant planning permission PD/18/313, which amended planning application PD/11/126 (ii) extant planning permission ABP-303677-19, which amended planning permissions PD/11/126 and PD/18/313 and (iii) extant planning permission ABP-307726-20, which amended planning permission PD/18/313:(b) Permission for a battery storage unit and transformer unit.

Amendments in (a) will provide for:

1. Erection of two Enercon E138 turbine models in lieu of the Vensys 121 turbine models agreed with the Planning Authority, under condition 4 (a) of planning permission ABP-3037726-19. Turbine 1 will have a hub height of 95.53m, a blade diameter of 138m and a blade tip height of 164.65m. Turbine T2 will have a hub height of 81m and a blade diameter of 138m and a blade tip height of 150m. The combined output from the turbines will be 4.9MW.

2. Relocation of access road serving the development as permitted under 11/126, 18/313, ABP-303677-19 and ABP-307726-20.
3. Relocation of underground cabling to the relocated access road referred to under paragraph 2 and additional underground electrical cabling to serve the proposed modular windfarm control and switch rooms, the ESB modular MV substation and new battery storage and transformer units;
4. Increase in the hub height of turbine T1 to 95.53m, increasing the blade tip height from 150m to 164.65m and micro siting of turbine T1 by 12.75m;
5. Increase in area of hardstands associated with each turbine;
6. Amended substation structure to incorporate proposed modular windfarm control and switch rooms and ESB Modular MV station;
7. Revised site boundaries.

Refused by RCC. ABP decided to refuse permission in subsequent appeal for 2 reasons (**314725**) as follows:

Reason 1-The Board was not satisfied that proposed amendments involving a change of turbine model would not result in a combined output exceeding the threshold for mandatory EIA within the scope of Class 3 (i) of Part 2 of the Fifth Schedule of the P&DR 2001, as amended, being an installation for the harnessing of wind power for energy production (wind farm) having a total output greater than five megawatts and was not satisfied the effects of the development on the environment can be properly assessed. The Board took into account the applicants assertion that the combined output of both turbines would be maintained below five megawatts, however given the capacity for the output of each of the proposed turbines ranging from 3.5 megawatts to 4.2 megawatts, the Board considered that such a limit would constitute an unsustainable use of resources and would be contrary to the applicable provisions of the Roscommon County Development plan that support the generation of electricity from renewable sources. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Reason 2- It is considered that the archaeological significance of the site arising from the proposed amendments, including that the base of Turbine T2 occupies a considerable amount of the area where Recorded Monument RO 035-09203

(earthworks) is located and that the newly enlarged access route appears to pass very close to Recorded Monument RO 035-09201 (enclosure), is such that any development of the site in advance of a comprehensive archaeological assessment, carried out to the requirements of the appropriate authorities, would be premature and would therefore, be contrary to the proper planning and sustainable development of the area.

PD/23/60198 - Permission for amendments to (i) extant planning permission PD18/313, which amended planning application PD/11/126, (ii) extant planning permission ABP-303677-19, which amended planning permissions PD11/126 and PD18/313 and (iii) extant planning permission ABP-307726-20, which amended planning permission PD18/313. The output from the development will be 4.9MW, similar to the extant planning permissions.

The amendments will provide for:

1. Erection of two bespoke Enercon E138 turbines models in lieu of the Vensys 121 turbine models agreed with the Planning Authority, under condition 4(a) of planning permission ABP-3037726-19. Turbine T1 will have a hub height of 99m, a blade diameter of 138m and a blade tip height of 168m. Turbine T2 will have a hub height of 81m, a blade diameter of 138m and a blade tip height of 150m. The maximum combined output from the turbines will be 4.9MW.
2. Relocation of the access road serving the development, as permitted under planning permissions PD11/126, PD18/313, ABP-303677-19 and ABP-307726-20.
3. The relocation of underground electrical cabling to the relocated access road referred to under paragraph 2 above and additional underground electrical cabling to the proposed modular windfarm control room/switch room and ESB modular MV station referred to in paragraph 6 below.
4. Increase in the hub height of turbine T1 to 99m, increasing the blade tip height from 150m to 168m and micro-siting of turbine T1 by 12.75m.
5. Increase in the area of the hardstands associated with each turbine.
6. Amended substation structure to incorporate a proposed modular windfarm control/switch rooms and an ESB modular MV station.

7. Revised site boundaries.

Refused by RCC. ACP decided to refuse permission in subsequent appeal for 2 reasons **(318944)**. This decision was quashed by Order of the High Court and the case was remitted back to the Commission. A new file no. ABP-322604-25 has been assigned.

5.0 Submissions

5.1. Applicant's Case

- 5.1.1. The main points made can be summarised as follows:
- 5.1.2. The applicant does not agree with the decision of RCC, and outlines the reason for Condition 4(a) is very significant as it specifically relates to the interest of visual amenity.
- 5.1.3. The submission for the Nordex 117 included detailed dimensions of the wind turbine and confirmed the blade diameter of the model was shorter than the previously approved Vensys 121 wind turbine. The smaller blade diameter than that previously approved as compliance with Condition 4 (a) addresses the earlier rejection decision of the Planning Authority that the proposed significant increase in blade diameter, which may give rise to impacts that have not been assessed, is considered a material deviation from the planning permission granted and not acceptable as compliant.
- 5.1.4. The increase in blade diameter is no longer an issue, **as the Nordex 117 wind turbine blade is shorter than the Vensys 121 wind turbine blade**, and would be visually less intrusive and fulfil the reason for condition 4(a) in that it would be in the interest of visual amenity.
- 5.1.5. Reason 1 of the planning authority memorandum relates to the introduction of colours and materials which were not evident on the drawings submitted as part of the application, and the applicant can only guess that this reason refers to the shaded bands on the Nordex 117 blades and tower. These optional additions can be

omitted. A drawing with the shaded bands omitted is included in Appendix F. The applicant considers this basis of rejection of the model unreasonable and requests An Bord Pleanála to confirm the turbine without the bands be considered compliant.

- 5.1.6. Reason 2 for the rejection of the model relates to the drawings submitted not being to scale and in the absence of appropriately scaled drawings the proposed model appears to be an unacceptable deviation from the permitted/accepted compliant model. As with the ‘colours and materials’ in reason 1, the planner does not elaborate on assertion in reason 2, that in the absence of appropriately scaled drawings the currently proposed model appears to be an unacceptable deviation from the permitted/accepted compliant model. The applicant considers the dimensions shown contain sufficient information to enable an assessment of its compliance without the need for a scaled drawing. Dimensions are shown on the drawing.
- 5.1.7. The applicant has included a scaled drawing of the Nordex 117 with bands omitted, and considers specified dimensions on all scaled drawings **take preference** over measured dimensions and does not understand how the absence of a scale on the drawings could result in a conclusion that ‘appears to be an unacceptable deviation from the permitted/accepted compliant model’.
- 5.1.8. It is considered the Nordex 117 turbine model presented in submission complies with the terms of the permission and is in accordance with the plans and particulars lodged with the Planning Authority. It is also considered the proposed installation of the model is compliant with and reflective of the plans and particulars including the public notices and application drawings and is consistent with the purpose of Condition 4(a) of 303677 “in the interest of visual amenity”.
- 5.1.9. It is concluded that the Nordex 117 wind turbine is reflective of and in accordance with turbine details presented in the application, does not constitute a material deviation and complies with Condition 4(a).
- 5.1.10. It is contended the Nordex 117 turbine model is provided for within the terms of the permission and can be provided for within the overall permitted tip height envelope of 150m. It is consistent with the principles of proper planning and sustainable development and does not conflict with any of the conclusions of An Bord Pleanála’s

assessment of the permitted development, and does not conflict with any condition of consent.

5.1.11. An Bord Pleanála is requested, in light of the failure to reach agreement with the planning authority, to make a determination that the Nordex 117 wind turbine is compliant with condition 4(a) of planning permission 303677-19.

5.1.12. The following appendices are attached to the submission:

Appendix A – Confirmation letter and plan of the Vensys 121 wind turbine approved by RCC as compliant with condition 4(a) of 303677-19

Appendix B – RCC letter rejecting the Enercon E138 wind turbine as compliant with Condition 4(a) of 303677-19 and reasons for rejection of Enercon E138 in internal email dated 29th August 2022

Appendix C – Submission requesting that the Nordex 117 wind turbine was compliant with condition 4(a) of permission 303677-19

Appendix D – RCC decision that Nordex 117 wind turbine is not compliant with Condition 4(a) of planning permission 303677-19

Appendix E – Planners memorandum setting out the reasons for determining that the Nordex 117 was not in compliance with condition 4(a) of planning permission 303677-19

Appendix F – Drawing of Nordex 117 wind turbine with the optional shaded bands on blades and tower omitted

5.2. **Planning Authority Response**

5.2.1. A response was not received from the planning authority.

6.0 **Statutory Provisions**

Planning and Development Act, 2000 (as amended)

The request has been submitted to the Commission under section 34(5) which states 'The conditions under subsection (1) may provide that points of detail relating to a grant of permission may be agreed between the planning authority and the person

carrying out the development; if the planning authority and that person cannot agree on the matter the matter may be referred to the Board for determination.

7.0 Assessment

7.1. The dispute between the planning authority and the applicant centres on Condition 4 (a) of 303677.

Condition 4(a) states: *Details of the wind turbines including blade lengths shall be agreed in writing with the planning authority prior to commencement of development.*

Reason: *In the interest of visual amenity.*

7.2. Having regard to my site inspection and the submissions on the file, the key matters for this case relate to:

Context

Consistency of turbine model type with the planning permission granted

7.2.1. In terms of **context**, the public notices for the permitted development refer to 'minor amendments to the development permitted under Roscommon County Council Planning Register References 11/126 and 18/313 to provide for the relocation of the permitted wind turbines and associated infrastructure (site roads and crane hard standings); amendments to the turbine dimensions to allow for a maximum overall tip height of up to 150 metres; and all associated site development and reinstatement works. The maximum total combined output of the wind turbines will not exceed 4.9 megawatts'.

7.2.2. I further note Drawing no. 180829/PD/003 submitted with the application titled '*Turbine Elevations Drawing 1:200*' which includes for a turbine 'up to 150m maximum overall height' and it is stated in notes '*The design, colour, rotor diameter, hub height and specification of the proposed wind turbine shown on this drawing are indicative only and may vary. However, the maximum overall turbine blade tip height shall absolutely not exceed 150 meters*'. I further note the inspector in their report in 303677 at section 2.3 states '*The subject application includes a drawing of the proposed wind turbines, but the only dimension referred is the maximum overall height of 150m*'.

7.2.3. The terms of condition 4(a) allows for wind turbines including blade lengths to be agreed. It is noted that the proposed Nordex 117 as outlined in the submission drawing, with a maximum tip height of 150m, is within the height limitation outlined in the permission, with amendments to the turbine dimensions allowing for a maximum overall tip height of up to 150 metres.

Consistency of turbine model type with the planning permission granted

7.2.4. The main issues before the Commission are:

- **whether** the turbine proposed is materially different from the turbine which was permitted,
- and **whether** the turbine type sought falls within the terms of the permission and condition 4(a) of the permitted development.

7.2.5. On the first issue, I note drawing no. 180829/PD/003 submitted with the application titled '*Turbine Elevations Drawing 1:200*' includes for a turbine 'up to 150m maximum overall height'. The 150m is the only dimension referred to and a specific turbine model type is not outlined. A measurement taken of the drawing details a blade length of c.55 metres.

7.2.6. It is noted in correspondence dated 21st May 2021 the Planning Authority outlined the submission entailing the Vensys 121 turbine model, was acceptable and met compliance with Condition 4(a). The dimensions of the Vensys 121 turbine model in Table 1 of submission dated 23 April 2021, as outlined on the RCC planning search website, included a hub height of 89.25m, blade length of 60.75m, and overall tip height of 150m. It is outlined in the submission documentation the Vensys 121 is no longer available. I note the increase in the blade length from that outlined in the original drawing (measured at 55m) to the Vensys 121, would represent a c.10.5% (5.75m) increase in blade length.

7.2.7. The wind turbine type now selected for installation is the Nordex 117 with a hub height of 91.5m, a blade length of 58.5m and an overall tip height of 150m, as outlined in the drawing submitted in Appendix F. This turbine model proposed would have a lower hub height and a longer blade length than the indicative model outlined in the application drawing.

7.2.8. I note the Planning Authority concerns that the proposed Nordex 117 turbine model is considered to be a material deviation from the permission granted, is not acceptable and is not in compliance with Condition (4) (a), with the proposal appearing to introduce colours and materials which were not evident on the drawings submitted as part of the application or on the drawings relating to the Vensys 121 model previously accepted as compliant with Condition 4(a). In addition, it was outlined the submitted drawings are not to scale and in absence of appropriately scaled drawings the proposed model appears to be an unacceptable deviation from the permitted/accepted compliant model.

7.2.9. In relation to ***visual impacts***, it is noted the applicants submission outlines the increase in blade diameter is no longer an issue, as the Nordex 117 wind turbine blade is shorter than the Vensys 121 wind turbine blade, and would be visually less intrusive and fulfils the reason for condition 4(a) in that it would be in the interest of visual amenity.

7.2.10. I note the increase in the blade length from that outlined in original drawing (55m as measured) to the Nordex 117 blade length of 58.5m, would represent a 6.3% (3.5m) increase in blade length. While the Nordex 117 turbine model would result in a marginal increase in the horizontal extent of the impact, when compared to the indicative turbine drawing indicated on plans, I am of the opinion that the alteration in blade length would not give rise to a substantial change in visual or landscape impacts, and do not consider there is a material change in terms of visual impact. I also consider that the change would not be of a substantial nature such as to give rise to an increased visual impact when viewed from sensitive receptor locations or public roads. In addition, I also note that the proposed Nordex 117 model falls within the limitations of the overall permitted tip height of 150m, and that condition 4 (a) enables for the variation of the wind turbines including their blade length. However, in the interests of proper planning and visual amenity, I consider the Nordex 117 turbine model should be indicated on revised accurately scaled drawings, and that the bands as indicated on the turbine tower and blades in the drawing submitted in Appendix F be omitted. I note it appears that Appendix F includes for a drawing of the N117 wind turbine similar to that submitted to the planning authority as part of the compliance submission, with a scale not included. It also appears that Appendix C, which includes for the compliance submission to the planning authority, includes

for an updated drawing from that outlined on the RCC planning website, and is not accurately scaled. These above issues could be addressed by way of further information should the Commission be minded to further consider the proposed turbine model from a visual perspective.

7.2.11. On the second issue, in relation to turbine type and the terms and conditions of the permitted development, for **output** permitted, the public notices in PA. Reg. Ref. PD/18/447 and ABP-303677 outlined the '*maximum total combined output of the wind turbines will not exceed 4.9 megawatts*'. While the applicant outlines the reason for Condition 4(a) is very significant as it specifically relates to the interest of visual amenity, it is noted that no details have been outlined in relation to turbine output arising from the Nordex 117 turbine model.

7.2.12. I note the planning history onsite and the restriction outlined in relation to the combined output of the wind turbines, which is not to exceed 4.9 megawatts. Technical details have not been submitted in relation to the proposed turbine models. I note the technical data for the Nordex 117 (N117/3600) turbine model on the Nordex website (www.nordex-online.com) indicates that the combined output (2 turbines) of the model would be 7.2 MW. While not included on the Nordex website, I also note the Nordex 117 Gamma turbine model indicates a combined output (2 models) of the model would be in an approximate range of 4.8MW-5.0MW. On the basis of the above, the installation of 2 no. Nordex 117 turbines would have the potential and a capacity to exceed the 4.9 megawatt output as permitted in **303677**, which was not assessed as part of 303677.

7.2.13. In addition, I note the permitted development was not subject to Environmental Impact Assessment. The proposed installation of 2 no. Nordex 117/3600 turbine models would have the potential to exceed the threshold requiring the submission of an EIAR, being a project within Class 3 (i) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 as amended, which includes (i) *Installations for the harnessing of wind power for energy production (wind farms) with more than 5 turbines or having a total output greater than 5 megawatts*.

7.2.14. On the basis of the information submitted and the above assessment, and in the absence of technical data being submitted for the turbine model, I consider the proposed installation of 2 no. Nordex 117 turbine models, which would have a

theoretical output of 7.2 MW, would have the potential and a capacity to exceed the permitted output of 4.9 megawatts, and would, if accepted by way of compliance, have the potential for implications on the wider environment, which were not assessed as part of 303677. On the basis of the above, I am of the view the installation of 2 no. Nordex 117 turbine models do not fall within the terms of the permitted development, which restricts the maximum total combined output of the wind turbines to not exceed 4.9 megawatts, and therefore does not come within the scope of Condition 4(a).

8.0 Recommendation

In conclusion, having regard to the terms and condition 4(a) of the planning permission, on the basis of the information submitted, and for the reasons stated above in relation to the permitted output, I consider that the proposed Nordex 117 turbine model would not come within the terms of the development permitted in 303677, and does not come within the scope of condition 4(a). Consequently, I recommend that the Commission does not agree with the proposed turbine type sought under condition 4(a) of the permission.

9.0 Reasons and Considerations

Whereas by order dated the 12th day of July 2019 An Bord Pleanála, under appeal reference number 303677-19, granted subject to conditions a permission to Peter Gillooly care of Windconnect Limited of Katallen, Creeny, Belturbet, County Cavan for development comprising minor amendments to the development permitted under Roscommon County Council Planning Register Reference Numbers 11/126 and 18/313 to provide for the relocation of the permitted wind turbines and associated infrastructure (site roads and crane hardstandings); amendments to the turbine dimensions to allow for a maximum overall tip height of up to 150 metres and all associated site development and reinstatement works. The maximum total combined output of the wind turbines will not exceed 4.9 megawatts at Derrane and Roxborough, County Roscommon:

And Whereas condition 4(a) attached to the said condition required details of the wind turbines including blade lengths to be agreed in writing with the planning authority prior to commencement of development:

And Whereas the developer and the Planning Authority failed to agree on the above details in compliance with the terms of the said condition and the matter was referred by the developer to An Coimisiún Pleanála on the 17th day of December 2024 for determination:

Now Therefore An Coimisiún Pleanála, in exercise of the powers conferred on it by section 34(5) of the Planning and Development Act, 2000, as amended, and based on the Reasons and Considerations set out below, hereby determines that the Commission **does not agree** that the Nordex 117 turbine type comprising a hub height of 91.5m, a blade length of 58.5m and an overall tip height of 150m, is within the terms and condition 4(a) of the permission and **are not agreed** under condition 4(a).

Reasons and Considerations

- (a) The Planning and Development Acts and Regulations made thereunder
- (b) The permitted history ABP-303677-19 and the terms and condition 4(a) of the permission
- (c) The wind turbine model proposed, and
- (d) the report and recommendation of the person appointed by the Commission to make a report and recommendation on the matter

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

David Ryan
Senior Planning Inspector

26th November 2025